

PATENT COOPERATION TREATY

Rec'd PCT/PTO 05 OCT 2004

From the INTERNATIONAL SEARCHING AUTHORITY

To:

KRATON POLYMERS RESEARCH B.V.
Attn. Kortekaas, Marcel
Badhuisweg 3
1031 CM Amsterdam
NETHERLANDS

INVITATION TO PAY ADDITIONAL FEES

(PCT Article 17(3)(a) and Rule 40.1)

Date of mailing
(day/month/year)

29/04/2003

Applicant's or agent's file reference

L0004B

PAYMENT DUE

within 30 ~~days~~ days
from the above date of mailing

International application No.

PCT/EP 03/ 00278

International filing date
(day/month/year)

13/01/2003

Applicant

KRATON POLYMERS RESEARCH B.V.

1. This International Searching Authority

- (i) considers that there are 3 (number of) inventions claimed in the international application covered by the claims indicated ~~200%~~ on the extra sheet:

and it considers that the international application does not comply with the requirements of unity of invention (Rules 13.1, 13.2 and 13.3) for the reasons indicated ~~200%~~ on the extra sheet:

- (ii) ☒ has carried out a partial international search (see Annex) ☐ will establish the international search report on those parts of the international application which relate to the invention first mentioned in claims Nos.:

1-3

- (iii) will establish the international search report on the other parts of the international application only if, and to the extent to which, additional fees are paid

2. The applicant is hereby invited, within the time limit indicated above, to pay the amount indicated below:

EUR 945,00 x 2 = EUR 1.890,00
Fee per additional invention number of additional inventions total amount of additional fees

Or, _____ x _____ = _____

The applicant is informed that, according to Rule 40.2(c), the payment of any additional fee may be made under protest, i.e., a reasoned statement to the effect that the international application complies with the requirement of unity of invention or that the amount of the required additional fee is excessive.

3. ☐ Claim(s) Nos. _____ have been found to be unsearchable under Article 17(2)(b) because of defects under Article 17(2)(a) and therefore have not been included with any invention.

Name and mailing address of the International Searching Authority:



European Patent Office, P.B. 5816 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Monika Schmitz

INVITATION TO PAY ADDITIONAL FEES

International application No.

PCT/EP 03/00278

This International Searching Authority found multiple (groups of) inventions in this international application, as follows:

1. Claims: 1-3

A composition suitable for the manufacture of a monolayer, or of multilayer films for food-wrap applications. The said composition comprising from 5 to 40 wt.% of a styrenic block copolymer of either molecular structure S-EB-S ... (1), or of molecular structure (S-EB)_nX ... (2) as described in the application claim 1; a polyolefin in an amount of at least 40 wt.%; and optionally 0-25 %wt. of a resin which is compatible with the hydrogenated poly(butadiene) blocks, wherein all wt.% are relative to the weight of the complete composition.

2. Claim : 4

A monolayer film, or a multilayer film comprising at least one layer based on a composition according to any one of the claims 1-3.

3. Claims: 5-8

A styrenic block copolymer as described in application claims 5-8.

The present application claims contain several inventions in consideration that the "corresponding technical features" or "special technical features" of a composition comprising from 5 to 40 wt.% of a styrenic block copolymer as detailed in the application claim 1 are not novel and inventive in view of the disclosures of W00228965, US5346964, EP1061099, W00109239, EP0863193 etc. (see search report). Since the application's "corresponding technical features" or "special technical features" of the application's first subjective problem relating to providing the said composition as described above (and also most notably in application claim 1), are not novel and inventive, the application clearly does not contain any "special" technical features within the meaning of Rule 13.2 PCT, that is to say, "...technical features that define a contribution over the prior art.", and thus the present application does not meet the requirements of Rule 13.1 PCT for lack of unity.

Consequently, it is immediately clear that the present application does not contain a single problem, but rather relates additionally to several other different problems such as multilayer film products, or monolayer film products, or a styrene block copolymer product etc., as addressed and detailed by the above attached analysis of the technical features of each separate invention.

As a result of this clear lack of unity, the first invention only has been searched which has resulted in application claims 1-3 only having been searched.

**Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE PARTIAL INTERNATIONAL SEARCH**

International Application No.
PCT/EP 03/00278

1. The present communication is an Annex to the invitation to pay additional fees (Form PCT/ISA/206). It shows the results of the international search established on the parts of the international application which relate to the invention first mentioned in claims Nos. 1-3.
2. This communication is not the international search report which will be established according to Article 18 and Rule 43.
3. If the applicant does not pay any additional search fees, the information appearing in this communication will be considered as the result of the international search and will be included as such in the international search report.
4. If the applicant pays additional fees, the international search report will contain both the information appearing in this communication and the results of the international search on other parts of the international application for which such fees will have been paid.

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
P, X	WO 02 28955 A (KRATON POLYMERS RES B V ; HANDLIN DALE LEE JR (US); DJIAUW LIE KHON) 11 April 2002 (2002-04-11) * (same applicant, same invention - invalid present application priority date) ; page 2, line 30 - page 3, line 2 ; claims 1-8 ; page 5, line 16-32 ; page 4, line 29 - page 5, line 15 ; examples * page 6, line 22 - page 8, line 5 ---	1-3
X	US 5 346 964 A (SHIBATA TOORU ET AL) 13 September 1994 (1994-09-13) * column 7, line 30, particularly "films, sheets" ; column 1, line 61 - column 2, line 1 ; column 2, line 31-38 ; column 3, line 9-12, 40-44 ; column 3, line 55 - column 4, line 6 ; abstract * column 7, line 44-49, 51-59 ---	1-3
X	EP 1 061 099 A (KUREHA CHEMICAL IND CO LTD) 20 December 2000 (2000-12-20) * claims 1, 2, 4, 3-17 ; page 4, line 9-31, 42-57 ; page 2, line 1-8 * abstract ---	1-3
X	WO 01 09239 A (ESNEAULT CALVIN P ; MAUGANS REXFORD A (US); HO THOI H (US); PATEL R) 8 February 2001 (2001-02-08) * abstract ; claims 1, 5 * page 2, line 11, 12 ---	1-3
	-/-	

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents :

- "A" document defining the general state of the art which is not considered to be of particular relevance
- "E" earlier document but published on or after the international filing date
- "L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- "O" document referring to an oral disclosure, use, exhibition or other means
- "P" document published prior to the international filing date but later than the priority date claimed

- "T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- "X" document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- "Y" document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- "Z" document member of the same patent family

Annex to Form PCT/ISA/206
COMMUNICATION RELATING TO THE RESULTS
OF THE PARTIAL INTERNATIONAL SEARCH

International Application No
PCT/EP 03/00278

C (Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	EP 0 863 193 A (SHELL INT RESEARCH) 9 September 1998 (1998-09-09) * page 6, line 2, particularly "food and beverage containers"; abstract; page 2, line 29-49, 52-54; page 3, line 54-56; page 4, line 29-34 * page 4, line 29-34 ---	1
A	US 4 970 259 A (MITCHELL NEIL F ET AL) 13 November 1990 (1990-11-13) * column 3, line 1-9 ; column 4, line 29-36, 42-46 ; examples * ---	1-3
A	EP 0 413 262 A (KURARAY CO) 20 February 1991 (1991-02-20) * abstract * page 3, line 1-50 ---	1-3
A	EP 0 822 227 A (SHELL INT RESEARCH) 4 February 1998 (1998-02-04) * page 2, line 46-56 * page 3, line 1-8; table 1 ---	1-3
A	US 5 627 235 A (HIMES GLENN R) 6 May 1997 (1997-05-06) * column 1, line 10-13; column 1, line 60 - column 2, line 5 ; column 2, line 55-65* abstract; table 1 ---	1-3
A	WO 01 19919 A (SHELL INT RESEARCH) 22 March 2001 (2001-03-22) * abstract ; claims * ---	1-3
A	EP 0 254 346 A (SHELL INT RESEARCH) 27 January 1988 (1988-01-27) * claims 1-10 ; abstract * -----	1-3

Patent Family Annex

Information on patent family members

International Application No

PCT/EP 03/00278

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Form PCT/ISA/206 (patent family annex) (July 1992)

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Information on patent family members

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